

## REMARKS

### Status of the Claims

- Claims 1-23 are pending in the Application.
- Claims 1-23 are rejected by Examiner.
- Claim 17 is amended.

### Claim Rejections Pursuant to 35 U.S.C. §102

Examiner has rejected Claims 1-23 under 35 U.S.C. §102(e) as being anticipated by U.S. Pat. No. 6,934,712 to Kiernan et al. Applicant respectfully traverse the §102(e) rejection.

Kiernan et al. teaches:

A method for publishing relational data as XML by translating XML queries into queries against a relational database. Conversion of the relational database into an XML database is not required. Each relational table is mapped to a virtual XML document, and XML queries are issued over these virtual documents. An XML query is parsed and transformed into a language-neutral intermediate representation, which is a sequence of operations describing how the output document is derived from the underlying relational tables. The intermediate representation is then translated into an SQL query over the underlying relational tables. The intermediate representation is also used to generate a tagger graph, which the tagger runtime 'walks' to generate the tagged, structured XML output. Each of the nodes of the tagger graph are operators which perform processing on the results of the SQL query. The SQL query is executed, and the SQL query results are then provided to the tagger. The tagger runtime applies the operators of each node to the inputs at that node to produce the structured XML document as a query result, guided by the structure of the tagger graph. (Abstract).

Claim 1 recites:

A method for semantic representation of one or more XML language inquiries across relational and non-relational data sources comprising:

receiving at least one inquiry;

defining at least one node object for every operation within the at least one received inquiry;

translating each of the at least one node objects using operators; and

generating a semantic representation from the operators;

wherein the semantic representation explicitly describes a meaning of the one or more XML language inquiries.

Applicant notes that Kiernan et al. does not teach a semantic representation that explicitly describes a meaning of the one or more XML language inquiries.

Although the Examiner has cited (Page 3 of present Office Action) a portion of Kiernan et al. entitled "Tagger Graph" on col. 10 lines 1-32, the tagger graph does not correlate to the intermediate representation as recited in Claim 1. As disclosed in the Abstract, "the intermediate representation is also used to generate a tagger graph". Accordingly, the tagger graph of Kiernan et al. cannot be the semantic (intermediate) representation because Kiernan et al. requires that the intermediate representation to exist before a tagger graph is generated.

Applicant also notes that the intermediate representation of Kiernan et al. is specifically defined in col. 5 lines 55-60 as:

"The Intermediate Representation

The intermediate representation is a sequence of parameterized operations that describe how the output of the XML-QL query is derived from the underlying relational tables." (col. 5 lines 5-60).

The above Kiernan et al. definition differs greatly from the Claim 1 recitation that "the semantic representation explicitly describes a meaning of the one or more XML language inquiries". Whereas the intermediate representation of Kiernan et al. is a relationship between the output of a query and specific data in a relational table, the semantic representation recited in Claim 1 is an explicit description of a meaning of an XML language inquiry. Applicant submits that the semantic representation of Claim 1 does not describe a relationship between the output of a query and the specific data of a specific relational table as in Kiernan et al.

As an example, Kiernan et al. describes operation in the intermediate representation at col. 5 line 64 through col. 6 line 3. There, the example of a BIND (X,B) is defined as an operation that binds variables to data values. Applicant submits that the intermediate representation of Kiernan et al. is essentially mapping into a relational table whereas the

semantic representation of Claims 1, 11, 17 and 21 describes the meaning of the query. Applicant notes that *none* of the Claims 1, 11, 17, or 21 expresse a semantic representation as specifically relating to “data” items in a table. Applicant can find no disclosure at all in the disclosure of Kiernan et al. where a semantic representation explicitly describes the meaning of an XML language inquiry.

Since Kiernan et al. fails to teach or even suggest that a semantic representation explicitly describes a meaning of the one or more XML language inquiries, then it cannot anticipate independent Claims 1, 11, 21 and amended Claim 17. Also, since the rejection on page 3 of the Office Action dated 1/19/06 correlated the semantic representation of Claim 1 to the unrelated tagger graph of Kiernan et al., then all elements of Claims 1 are not found in the cited art. Likewise, Claims 11, 17 and 21 recite similar elements that are absent from Kiernan et al. Consequently, independent Claims 1, 11, 17 and 21 and their respective dependent claims patentably define over the cited art. Claim 17 is amended to make explicit the meaning of an intermediate language representation.

Applicant therefore respectfully requests withdrawal of the 35 USC §102(e) rejection and submits that Claims 1-23 patentably define over the cited art because all elements of the amended independent Claims 1, 11, 17 and 21 are not found in the cited art.

#### **Claim Rejections Pursuant to 35 U.S.C. §103**

Claim 9 stands rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Pat. No. 6,934,712 to Kiernan et al. in view of U.S. Patent No. 6901,410 to Marron et al. Applicant respectfully traverses the rejection.

Claim 9 ultimately dependent on independent Claim 1. As mentioned above, Kiernan et al. does not disclose all of the elements of independent Claim 1. Accordingly, a prima facie case of obviousness is not established with respect to Claim 1 and its dependent claims. Applicant respectfully requests withdrawal of the 35 U.S.C. §103(a) rejection of Claim 9 as it patentably defines over the cited art.

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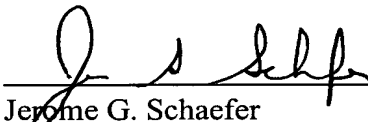
**PATENT**

**Conclusion**

Applicant respectfully requests reconsideration of all pending claims in light of the amendment and discussion above. Applicant respectfully submits that all pending claims patentably define over the cited art.

Respectfully Submitted,

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